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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Winthrop D. Childers et al. Application No.: 10/823,475

Confirmation No.: 4580 Examiner: Nihir B. Patel Group Art Unit: 3772

April 12, 2004 Title: INHALER NOZZLE MAINTENANCE APPARATUS AND METHOD

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

Filing Date:

## NOTICE OF APPEAL FROM THE EXAMINER TO THE

**BOARD OF PATENT APPEALS AND INTERFERENCES** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date. August 19, 2010 rejecting the following claims 18, 19, 21-28 and 38-43 The fee for filing this Notice of Appeal is \$540.00 (37 CFR 41.20). No Additional Fee Required. (complete (a) or (b) as applicable ) The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply. (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below: 2nd Month 3rd Month 4th Month 1st Month \$130 \$490 \$1110 \$1730 The extension fee has already been filed in this application X (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time. Please charge to Deposit Account 08-2025 the sum of \$540.00 . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CRF 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed. Respectfully submitted, Winthrop D. Childers et al.

By: /Julia Church Dierker/

Julia Church Dierker

Attorney/Agent for Applicant(s)

Reg No.: 33368

Date: November 19, 2010

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